

# Notice of Allowability

Application No.

09/990,849

Examiner

Irakli Kiknadze

Applicant(s)

ROSNER, S. JEFFREY

Art Unit

2882

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/13/2003.
  2. ☒ The allowed claim(s) is/are 1-4,8-19 and 21-26.
  3. ☒ The drawings filed on 21 November 2001 are accepted by the Examiner.
  4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
    - (a) ☐ The translation of the foreign language provisional application has been received.
  6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |  |  |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                     | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____    |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____  | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment         |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9 <input type="checkbox"/> Other   |

### **DETAILED ACTION**

1. In response to the Office action of August 15, 2003 the Amendment has been received on November 13, 2003.

Claims 5-7 and 20 have been canceled.

Claims 1-4, 17 and 21 have been amended.

Claims 1-4, 8-19 and 21-26 are pending in this application.

### ***Allowable Subject Matter***

2. Claims 1-4, 8-19 and 21-26 are allowed.

3. The following is an examiner's statement of reasons for allowance:

With respect to claims 1-4 and 8 prior art fails to teach or make obvious an imaging system for imaging a sample of interest comprising an integrating unit coupled to the detector modules for computationally combining the sub-images on a basis of data including: angular data indicative of projection angles of the imaging radiation during the imaging of the common portions of the sample of interest and positional data indicative of relative positions of the imaging radiation and the sample of interest in acquiring individual the sub-images as claimed.

With respect to claims 9-16 prior art fails to teach or make obvious an X-ray imager for generating an image of an object comprising: a plurality of discrete sensor arrays being spaced apart from adjacent sensor arrays by a distance greater than one-

quarter of a cross-sectional distance of the two-dimensional pattern while being sufficiently close to enable a pulse of X-ray radiation to simultaneously irradiate a plurality of the sensor arrays being arranged for detecting time series of sub-images of overlapping portions of the object as claimed.

With respect to claims 17-19 and 21-26 prior art fails to teach or make obvious a method of forming a composite image comprising step of including associating individual the sub-images with axial direction information indicative of a projection angle of the X-ray radiation in acquiring the individual sub-images and including associating individual the sub-images with position information indicative of relative locations of an X-ray source in acquiring the individual sub-images as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***


4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lobregt et al. (US Patent 6,078,699); Diepstarten (US Patent 6,130,932); Malamud (US Patent 6,483,890 B1) and Linders et al. (US Patent 6,214,848 B1); Lobregt et al. (US Patent 6,097,833), Zeller et al. (US Patent 6,055,292) and Linders et al. (US Patent 6,215,848 B1) disclose composing the X-ray images from sub-images.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Irakli Kiknadze whose telephone number is (703) 305-6464. The examiner can normally be reached on M-F(8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (703) 308-4858. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Irakli Kiknadze  
December 10, 2003  
IK

  
DAVID V. BRUCE  
PRIMARY EXAMINER